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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

18

Application Number

10/709,739

Filing Date

May 26, 2004

First Named Inventor

I. Bentwich

Art Unit

1645

Examiner Name

Not yet assigned

Attorney Docket Number

06087.0302.CPUS00

ENCLOSURES (Check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Response to Missing Parts/
Incomplete Application
<input type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input checked="" type="checkbox"/> CD, Number of CD(s) <u>3</u>
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
Preliminary Amendment, Statement
Pursuant to 37 CFR 1.825(a) and
(b); Transmittal Sheet for
Submission of Compact Disc
Pursuant to 37 CFR 1.52(e), 3
copies of Computer-Readable
format of Sequence Listing,
Request for Corrected Filing
Receipt and return-receipt postcard |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Howrey LLP

Signature

Printed name

Teddy C. Scott, Jr., Ph.D.

Date

July 22, 2005

Reg. No.

53,573

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

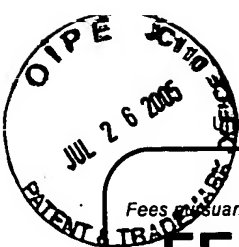
Teddy C. Scott, Jr., Ph.D.

Date

July 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete If Known	
FEE TRANSMITTAL for FY 2005		Application Number	10/709,739
		Filing Date	May 26, 2004
		First Named Inventor	I. Bentwich
		Examiner Name	Not yet assigned
		Art Unit	1645
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	06087.0302.CPUS00
TOTAL AMOUNT OF PAYMENT		(\$60.00)	

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 08-3038 Deposit Account Name: Howrey Simon Arnold & White, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fees Paid (\$)**

_____ - 20 or HP = 0 x _____ = _____

HP = highest number of total claims paid for, if greater than 20

Indep. Claims **Extra Claims** **Fee (\$)** **Fees Paid (\$)**

_____ - 3 or HP = 2 x _____ = _____

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/50 = _____	(round up to a whole number) x _____	= _____	

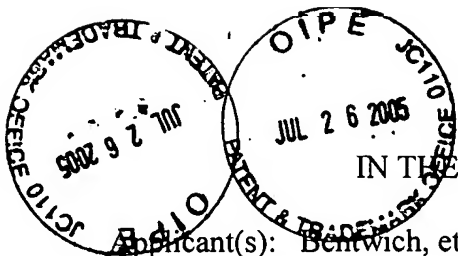
4. OTHER FEE(S)

	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <u>Petition for a one month extension of time (small entity rate)</u>	<u>\$60.00</u>

SUBMITTED BY		Registration No. 53,573	Telephone (312) 846-5621
Signature		(Attorney/Agent)	
Name (Print/Type)	Teddy C. Scott, Jr., Ph.D.		Date July 22, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No. 06087.0302.CPUS00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bentwich, et al.

App. No.: 10/709,739

Confirmation No.: 3738

Filing Date: May 26, 2004

Title: BIOINFORMATICALY
DETECTABLE GROUP OF NOVEL
REGULATORY VIRAL AND VIRAL
ASSOCIATED OLIGONUCLEOTIDES
AND USES THEREOF

Art Unit: 1645

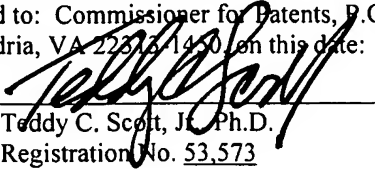
Examiner: Not yet assigned

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I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

07/22/05

Date


Teddy C. Scott, Jr. Ph.D.
Registration No. 53,573

**RESPONSE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosure dated April 25, 2005, Applicant submits herewith the following:

- Replacement Sequence Listing under 37 C.F.R. §1.825(a), submitted on a compact disc (two copies of compact disc) under §1.52(e);
- Substitute copy of the Sequence Listing in computer readable form (§1.81(e)), (one copy of compact disc) submitted pursuant to §1.825(b);
- Statement Pursuant To 37 C.F.R. §1.825(a) and (b) (1 page);
- Transmittal Sheet For Submission Of Compact Disc Pursuant To 37 C.F.R. §1.52(e) (1 page);
- Petition for a One Month Extension of Time (2 pages);
- Copy of the Notification to Comply with Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures (2 pages);
- Preliminary Amendment (3 pages);

- Request for Corrected Filing Receipt (2 pages);
- Fee Transmittal (1 page);
- Transmittal Letter (1 page); and
- Return receipt postcard.

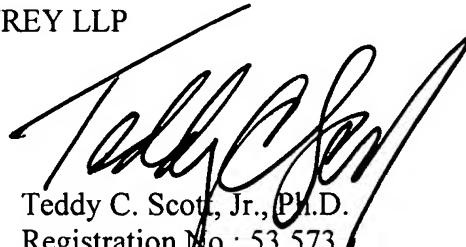
No additional fees are believed to be due in connection with the filing of this Response. However, should any additional fees be deemed necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit No. 08-3038, referencing the above-identified attorney docket number.

Respectfully submitted,

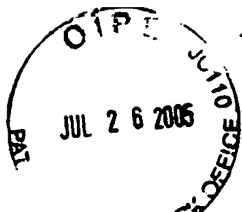
HOWREY LLP

Dated: July 22, 2005

By:


Teddy C. Scott, Jr., Ph.D.
Registration No.: 53,573
Customer No.: 22930

HOWREY LLP
321 N. Clark Street, Suite 3400
Chicago, IL 60661
(312) 595-1239 (main)
(312) 846-5621 (direct)
(312) 595-2250 (fax)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Bentwich, et al.

App. No.: 10/709,739

Confirmation No.: 3738

Filing Date: May 26, 2004

Title: BIOINFORMATICALY
DETECTABLE GROUP OF NOVEL
REGULATORY VIRAL AND VIRAL
ASSOCIATED OLIGONUCLEOTIDES
AND USES THEREOF

Art Unit: 1645

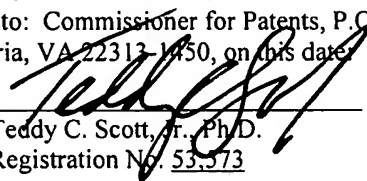
Examiner: Not yet assigned

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Box 1450, Alexandria, VA 22313-1450, on this date:

07/22/05

Date


Teddy C. Scott, Jr., Ph.D.
Registration No. 53,573

**TRANSMITTAL SHEET FOR SUBMISSION OF
COMPACT DISC PURSUANT TO 37 C.F.R. §1.52(e)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is two copies of a compact disc (MS-Windows format) containing a
replacement Sequence Listing submitted under 37 C.F.R. §1.825(a). The contents of the
compact disc are as follows:

File Name	Size	Date of File
SEQ_LIST.txt	622,914 KB	07/15/2005

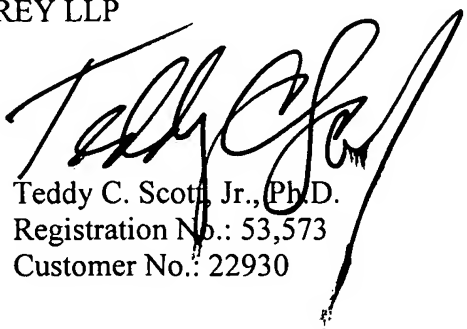
Pursuant to 37 C.F.R. §1.52(e)(4)(c), I hereby state that the two copies of the compact
disc are identical.

Respectfully submitted,

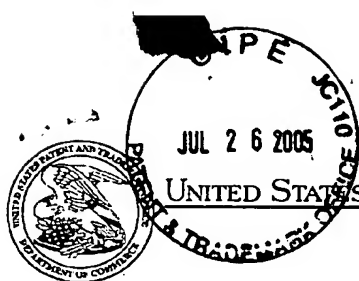
HOWREY LLP

Dated: July 22, 2005

By:


Teddy C. Scott, Jr., Ph.D.
Registration No.: 53,573
Customer No.: 22930

HOWREY LLP
321 N. Clark Street, Suite 3400
Chicago, IL 60661
(312) 595-1239 (main)
(312) 846-5621 (direct)
(312) 595-2250 (fax)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

IFW \$

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/709,739	05/26/2004	Itzhak Bentwich	

22930

HOWREY SIMON ARNOLD & WHITE LLP
 c/o IP DOCKETING DEPARTMENT
 2941 FAIRVIEW PARK DR, SUITE 200
 FALLS CHURCH, VA 22042-2924

CONFIRMATION NO. 3738

FORMALITIES LETTER



OC000000015827509

Date Mailed: 04/25/2005

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application includes a copy of the "Sequence Listing" on a compact disc (37 CFR 1.821); however, it does not include two copies of the compact disc (37 CFR 1.52(e)(4)) in addition to the computer readable form. 37 CFR 1.821(e). Applicant must provide the required second compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>
 For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Office of Initial Patent Examination (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY